

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

| | | |
|-------------------------------------|---|-----------------------|
| THE STATE OF MISSOURI, et al. |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | |
| |) | Case No. 1:21-cv-1300 |
| JOSEPH R. BIDEN in his official |) | |
| capacity as President of the United |) | |
| States, et al. |) | |
| |) | |
| Defendants. |) | |
| |) | |

**DEFENDANTS' CONSENT MOTION TO STAY DEADLINE
TO SUBMIT NOTICE REGARDING MAGISTRATE JUDGE JURISDICTION**

Defendants hereby move to stay the deadline to submit a notice regarding magistrate jurisdiction and state as follows:

1. This case is currently stayed pending final disposition of Defendants' appeal. Order, ECF No. 46.
2. On May 8, 2023, the Clerk of Court reassigned this matter to Magistrate Judge Joseph S. Dueker. Reassignment Order, ECF No. 589. The reassignment order noted that "[a]ll deadlines previously set remain in effect unless otherwise ordered by the Court." *Id.*
3. On May 24, 2023, the Clerk of Court docketed a notice instructing the parties to submit a notice regarding magistrate-judge jurisdiction by May 31, 2023.
4. Defendants' appeal remains pending and this court's stay remains in place.¹ Given the posture of this case, Defendants request that the clerk stay the deadline to submit a notice

¹ On May 15, 2023, Appellants moved to dismiss the case on appeal. Mot. to Dismiss Case, *State of Missouri v. Biden*, 22-1104 (8th Cir.). That motion remains pending.

regarding magistrate-judge jurisdiction pending final disposition of Defendants' appeal.
Plaintiffs consent to Defendants' request.

Dated: May 30, 2023

Respectfully submitted,

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